

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-6, 8-21, 23 and 29 are pending in the application, with 1 and 23 being the independent claims. Claims 25-28 are sought to be cancelled, and new claim 29 is sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-6 and 8-21 under 35 U.S.C. § 103 (a) as being allegedly unpatentable over U.S. Patent No. 6,076,074 to Cotton et al. (hereinafter, "Cotton"), in view of U.S. Patent No. 6,269,345 to Riboud, U.S. Patent No. 6,892,184 to Komem et al. (hereinafter, "Komem") and U.S. Patent Appl. Publication No. US 2002/0023053 A1 of Szoc et al. (hereinafter, "Szoc"). Applicants respectfully traverse this rejection.

Regarding Claim 1, Applicants believe that the Examiner is relying on hindsight reasoning in an attempt to reconstruct the claimed invention. There is no apparent motivation for one skilled in the art to combine Cotton, Riboud, Komem and Szoc, other than Applicants' own novel disclosure. Moreover, even, if one were to combine Cotton, Riboud, Komem and Szoc, it would still not result in Applicants' claimed invention for at least the same reasons as specified in the Reply filed on April 4, 2006.

Specifically, Komem does not disclose communicating a payment instruction and separately communicating a payment request to a funds source associated with the source account. As previously explained, Komem describes a system which relies on a hedging engine and a third party payment clearance mechanism to complete a transaction in two different currencies. Komem's system does not include any issuance of a payment request from the buyer or the originator of the transaction to the funds source of the second local currency account. The Transaction Negotiation shown in Fig. 3 of Komem's disclosure is not a payment instruction but is rather a product inquiry process which occurs even before a buyer has decided to buy a product from a seller. Nowhere does Komem suggest any method by which the aforementioned Transaction Negotiation performs a payment instruction in a foreign currency funds source. The payment instruction always occurs through an intermediary third party clearance mechanism and often involves an additional Trustee bank account while communicating with the seller operating in a second currency.

Further still, it might appear to the Examiner that the "Transfer Instructions" as shown in FIG.3 of Komem are allegedly the same as the payment instruction of claim 1. The transfer Instructions in FIG.3 of Komem, however, are exchanged between a Hedging Engine or a Currency module and a third Trustee bank. This is different from the payment instruction of claim 1 which is an instruction to transfer funds from a source account to a local currency account.

In addition, claim 1 has been amended to recite, *inter alia*, a method for "determining, based on the transaction type, an appropriate transaction route." None of Cotton, Riboud, Komem or Szoc, either alone or in any rational combination thereof,

teach this feature of claim 1. Accordingly, Applicants submit that claim 1 is patentable over the cited references. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2-6 and 8-21 depend directly or indirectly from claim 1. Accordingly, claims 2-6 and 8-21 are patentable for at least the same reasons as claim 1, and further in view of their own features. Reconsideration and withdrawal of this rejection is respectfully requested.

The Examiner has rejected Claim 23 under 35 U.S.C. § 103 (a) as being allegedly unpatentable over Cotton in view of Riboud, Komem, Szoc and U.S. Patent No. 5,650,604 to Marcous et al. (hereinafter, "Marcous"). Applicants respectfully traverse this rejection.

As with claim 1, Applicants believe that the Examiner is relying on hindsight reasoning in an attempt to reconstruct the features of claim 23. There is no apparent motivation for one skilled in the art to rationally combine Cotton, Riboud, Komem, Szoc or Marcous, other than Applicants' own novel disclosure. Applicants respectfully submit that the remarks set forth above also apply to claim 23. Further, claim 23 has been amended to recite, *inter alia*, "means for determining a transaction type associated with the transaction request" and "means for determining the appropriate transfer route for the transaction based on the transaction type." None of Cotton, Riboud, Komem, Szoc or Marcous, either alone or in any rational combination thereof, teach this feature of claim 23. Accordingly, Applicants submit that claim 23 is patentable over the cited references. Reconsideration and withdrawal of the rejection is respectfully requested.

New claim 29 depends directly from claim 23. Accordingly, Applicants respectfully submit that claim 29 is patentable for at least the same reasons as claim 23, and further in view of its own features.

The Examiner has rejected claims 25-28 under 35 U.S.C. § 103 (a) as being allegedly unpatentable over Riboud, in view of U.S. Patent No. 5,659,165 to Jennings et al. (hereinafter, "Jennings"). Claims 25-28 are sought to be canceled, rendering this rejection moot.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

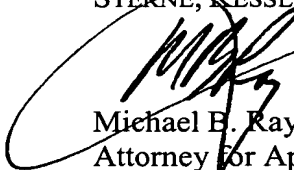
Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Amendment Date October 10, 2006 - 13 -
Reply to Office Action of June 7, 2006

Harada *et al.*
Appl. No. 09/846,880

Respectfully submitted,

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